

Please amend the application as follows:

**IN THE SPECIFICATION**

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On page 1, after the Title of the application, please insert:

--This application claims priority under 35 USC § 119 based on EP

98122412.4 filed November 26, 1998 and EP 00119337.6 filed September 29, 1999.--

**REMARKS**

The Specification has been amended to include a statement of foreign priority claimed. Although not believed necessary to perfect the claim to benefit made in the application transmittal papers, the amendment is presented as requested by the Examiner to further prosecution. It is submitted that no new matter has been introduced by the foregoing amendment. Approval and entry of the amendment is respectfully solicited.

In the Office Action, the Examiner asserted that "[c]laim 24 is probably a duplicate of claim 1." (Paper No. 15 at 4.) This comment is found under the section of the Office Action entitled "Claim Rejections – 35 USC § 112," however nowhere in this section is claim 24 rejected. Accordingly, no rejection appears to have been made. "Where a claim is refused for any reason relating to the merits thereof it should be 'rejected' and the ground of rejection fully and clearly stated, and **the word 'reject' must be used.**" MPEP § 707.07(d) (8<sup>th</sup> Ed. August 2001, p. 700-97) (Emphasis added). Accordingly, if the Examiner intended to reject claim 24 under 35 USC § 112, she is asked to expressly do so and identify the reason(s) for the rejection, as required.